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DATE: 10/20/05

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Docket No. AUS920010397US1 Serial No. 09/915,995 Atty: AJP

Applicant: BROWN ET AL

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<input type="checkbox"/> Amendment	<input type="checkbox"/> Notice of Appeal
<input type="checkbox"/> Amendment AF	<input type="checkbox"/> Appeal Brief (3 copies)
<input type="checkbox"/> Ext. of Time	<input type="checkbox"/> Reply Brief
<input type="checkbox"/> IDS Statement	<input type="checkbox"/> Change of Address
<input checked="" type="checkbox"/> Other <u>Petition to Withdraw Holding of Abandonment under 37 CFR 1.181</u>	

Deposit Acct. No. 09-0447

Fees: Amendment Notice of Appeal Appeal Brief Other

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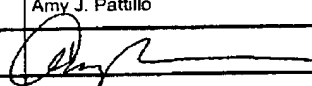
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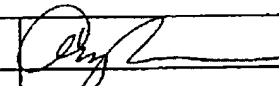
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<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/915,995	
	Filing Date	7/26/2001	
	First Named Inventor	Brown et al.	
	Art Unit	2157	
	Examiner Name	Moustafa Meky	
Total Number of Pages in This Submission	6	Attorney Docket Number	AUS920010397US1

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Amy J. Pattillo		
Signature			
Printed name	Amy J. Pattillo		
Date	10/20/05	Reg. No.	46,983

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:	
Signature	
Typed or printed name	Amy J. Pattillo
Date	10/20/2005 10/20/05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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DOCKET NUMBER AUS920010397US1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Michael Wayne Brown et al.

Serial No: 09/915,995

Filed: 7/26/2001


Title: **INDIVIDUALLY SPECIFYING  
MESSAGE OUTPUT ATTRIBUTES IN A  
MESSAGING SYSTEM**

Group Art Unit: 2157

IBM CORPORATION  
C/O AMY PATTILLO  
P.O. BOX 161327  
AUSTIN, TEXAS 78716

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence is being transmitted via facsimile to the United States Patent Office at facsimile number 571-273-8300 by Amy J. Pattillo on October 20, 2005.

  
Signature

10/20/05  
Date

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 CFR § 1.181**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
**Via Facsimile**

Sir:

A notice of abandonment in the present application, 09/915,995, was received on September 21, 2005. Applicants respectfully assert that the present application is not in fact abandoned and respectfully petition, under 37 CFR 1.181(a), for the withdrawal of holding of abandonment.

Applicants received a Notice of Allowance in the present application on April 27, 2005. Applicants noted that the Notice of Allowance only allowed claims 1-28 of the 59 claims pending in the present application. On June 6, 2005, Applicants contacted

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DOCKET NUMBER AUS920010397US1

Examiner Meky, the primary examiner issuing the notice of allowance, and pointed out the insufficiency of the notice of allowance in failing to dispose of claims 29-59. Applicants requested that Examiner Meky withdraw the entire case from allowance and examine claims 1-59. Examiner Meky issued an interview summary on June 8, 2005 stating that an agreement with respect to claims 29-59 had been reached and stating the substance of the interview as follows: "The applicant informed the examiner that there are more claims (29-59) to be considered. The examiner informed the applicant that the examiner overlooked these claims and he assumed that there are only claims 1-28 pending in the application. The examiner will open the application and he will examine all the pending claims 1-59." A copy of the interview summary, providing a complete record of the interview, is attached as Exhibit A.

Applicants received the Notice of Abandonment on September 21, 2005, issued on the grounds of "Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance." Applicants spoke with Examiner Meky on September 30, 2005 and Examiner Meky stated that someone else had issued the Notice of Abandonment without his knowledge, that the agreement to reopen prosecution of all pending claims was still valid, and requested that Applicants file the petition to withdraw the holding of abandonment. Applicants also contacted SPE Etienne on October 19, 2005 and SPE Etienne confirmed that Examiner Meky had not properly filed a request to remove the application from allowance and reopen examination, that the present application was not in fact abandoned, and requested that Applicants file the petition to withdraw the holding of abandonment.

Therefore, in view of the history of prosecution in the present application, Examiner Meky's agreement to reopen examination of all pending claims, due to the error in the notice of allowance, withdraws the application from allowance and removes the requirement of Applicants to pay a timely issue fee. Therefore, the present application is not in fact abandoned for failure to file an issue fee because no issue fee was due in view of the reopening of examination of all pending claims. Applicants

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respectfully petition, under 37 CFR 1.181(a), for the withdrawal of holding of abandonment and continued examination of the application.

Applicants do not believe that a fee is required, however, in the event a fee is required in connection with the enclosed Information Disclosure Statement, the Commissioner of Patents and Trademarks is authorized to charge Deposit Account No. 09-0447 for the necessary amount.

Respectfully submitted,

 m 10/20/05

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09/915,995

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EXHIBIT A



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/915,995	07/26/2001	Michael Wayne Brown	AUS920010397US1	1116
43307	7590	06/08/2005	EXAMINER	
IBM CORP (AP) C/O AMY PATTILLO P. O. BOX 161327 AUSTIN, TX 78716			MEKY, MOUSTAFA M	
			ART UNIT	PAPER NUMBER
			2157	

DATE MAILED: 06/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Interview Summary</b>	Application No.		Applicant(s)	
	09/915,995		BROWN ET AL.	
	Examiner		Art Unit	
	Moustafa M. Meky		2157	

All participants (applicant, applicant's representative, PTO personnel):

(1) Moustafa M. Meky. (3) \_\_\_\_\_

(2) Amy Pattillo. (4) \_\_\_\_\_

Date of Interview: 06 June 2005.

Type: a) ☒ Telephonic b) ☐ Video Conference  
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.  
If Yes, brief description: \_\_\_\_\_

Claim(s) discussed: 29-59.

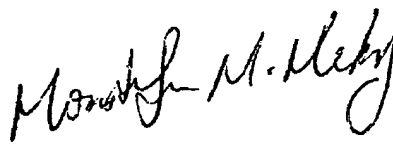
Identification of prior art discussed: None.

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The applicant informed the examiner that there are more claims (29-59) to be considered. The examiner informed the applicant that the examiner overlooked these claims and he assumed that there are only claims 1-28 are pending in the application. The examiner will open the application and he will examine all the pending claims 1-59.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

  
MOUSTAFAS M. MEKY  
PRIMARY EXAMINER

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

\_\_\_\_\_  
Examiner's signature, if required